ORIGINAL

Serial No. 06618

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant GEORGE T. FLYNN, III

P.O. BOX 68 (Street and No. or P.O. Box No.) of TUSCARORA (City or town)

NEVADA 89834 (State and Zip Code No.)

(2) Source of water SEE ATTACHED (Name of natural water source.)

(3) The water is diverted by THE NATURAL CHANNEL, AND SPRING AREAS (Dam, ditch, pipe line, natural channel, spring area, etc.)

(4) The water is diverted at the following point(s) SEE ATTACHED
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.

(5) The water is impounded in THE NATURAL CHANNEL (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun UNKNOWN (Date)

and completed UNKNOWN (Date)

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is DEEDED AND PUBLIC DOMAIN WITH GRAZING PERMIT (Patented, deeded, public domain with grazing permit, etc.)

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(8) The claimant's water right was (was not) recorded in the office of the County Recorder of

SEE ATTACHED County, at Page ..... of Book ..... of .....

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

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(9) The approximate number of animals watered by the claimant during the first year..... (Date)

was.....cattle.....horses.....sheep or..... (Other) The watering

was conducted during each of the following months.....

SEE ATTACHED

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

SEE ATTACHED

If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

(11) The amount of water which has been necessary to be diverted for this purpose has been.....

SEE ATTACHED cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at REFER TO ATTACHED SUPPORTING MAP FOR LEGAL DESCRIPTION

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

OF NATURAL CHANNEL

land, it should be stated.

Remarks.....

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Remarks.....

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by GEORGE T. FLYNN, III

are full and correct to the best of his knowledge and belief.

DEPONENT IS ACTING AS AUTHORIZED AGENT FOR CLAIMANT

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

GEORGE T. FLYNN, III
Claimant

By MICHAEL D. BUSCHELMAN, P.L.S.

5405 MAE ANNE AVENUE
Street and No., or P.O. Box No.

RENO, NEVADA 89523
City, State, Zip Code No.

Subscribed and sworn to before me this 14th day of JUNE, 19 94.

Olivia R. Luck

Notary Public in and for the County of WASHOE, NEVADA

My commission expires Oct. 4, 1995

OLIVIA R. LUCK
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES OCT. 4, 1995

$10 FILING FEE MUST ACCOMPANY PROOF

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Form Aa Rev. 9-72)

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ATTACHMENT
2nd AMENDED
SERIAL NO. 06618

PROOF OF APPROPRIATION OF WATER FOR STOCKWATERING PURPOSES

NAME OF CLAIMANT: **GEORGE T. FLYNN, III**

ITEM NO. 2, ITEM NO. 4 - SOURCE OF WATER, POINT OF DIVERSION

SOURCE: DEEP CREEK AND TRIBUTARIES
POD #1: NW1/4 SW1/4 SECTION 4 T42N, R52E, MDM (IL CREEK)
POD #2: SE1/4 SE1/4 SECTION 5 T42N, R52E, MDM. (CHICKEN CR.)
POD #3: NW1/4 NW1/4 SECTION 3 T42N, R52E, MDM (SHEEP CR.)
POD #4: NE1/4 NE1/4 SECTION 11 T42N, R52E, MDM. (OTT CREEK)

USGS 7.5 MINUTE QUAD: DEEP CREEK, NEVADA & CHICKEN CREEK SUMMIT, NEVADA

ITEM NO. 6 - CONSTRUCTION OF DITCH OR OTHER WORKS

BEGUN 1883; COMPLETED 1883

ITEM NO. 8 - RECORDATION OF CLAIMANT'S WATER RIGHT

UNKNOWN

ITEM NO. 9 - LIVESTOCK WATERED BY CLAIMANT IN FIRST YEAR

UNKNOWN

ITEM NO. 10 - LIVESTOCK WATERED BY CLAIMANT IN SUBSEQUENT YEARS

REFER TO ITEM NO. 11

ITEM NO. 11 - AMOUNT OF WATER DIVERTED

THE TOTAL VOLUME OF WATER REQUIRED TO SATISFY THE NEED OF 75 HEAD OF CATTLE IS CALCULATED AS FOLLOWS:

20 GALLONS PER DAY X 75 HEAD OF CATTLE X 107 DAYS

= 160,500 GALLONS

THE RATE OF FLOW WILL BE CONSIDERABLY SMALLER THAN IS NEEDED TO PROVIDE WATER FOR STOCKWATERING PURPOSES, THEREFORE A VOLUME OF WATER IS MORE REPRESENTATIVE OF THE NEEDS OF THE ANIMALS.

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GEORGE T. FLYNN III, M.D. RANCH

LIVESTOCK AREAS OF USE AND NUMBERS

In addition to vested water rights for domestic livestock upon improved ranch lands, this ranch makes use upon other privately owned lands and public lands in the following described areas:

1. Pine Mountain Allotment of the Bureau of Land Management.

2. Bull Run Cattle and Horse Allotment of the Forest Service.

Each of these areas is segregated below, and the water use in each area is discussed separately.

PINE MOUNTAIN ALLOTMENT - BLM AND PRIVATE LANDS

Total livestock use within this allotment was made by 125 head of cattle for the period of April 1 to July 1, with the numbers divided equally between Deep Creek and I L Creek.

As to priority of use, there is no specific information found as to the priority date of use upon the open range. However, the firm of Bailey and Sayles used public lands for grazing. This is referred to in the "Daily Times Review" of Tuscarora in the edition of November 23, 1882 on Page 3 of Column 1 and again in that paper on May 12, 1883 on Page 3, Column 2. As the land owned by the present owner contains a portion of the lands owned by Bailey and Sayles, the priority of livestock use is 1883 upon the public lands administered by the Bureau of Land Management.

BULL RUN CATTLE AND HORSE ALLOTMENT - FOREST SERVICE

Total permit of 200 head of cattle is allowed within this allotment. These are proportioned among the various drainages as follows:

Ott Creek, its Tributaries and Springs within its Area of Drainage.

Area of use is located within approximately Sections 5 and 6, Township 32 North, Range 52 East.

50 cattle for the period of July 1 to October 15.

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Deep Creek, its Tributaries and Springs within its Drainage.

Area of use is within the reach of Deep Creek within the Bull Run Cattle and Horse Allotment within approximately Section 8, Township 42 North, Range 52 East.

75 head of cattle for the period of July 1 to October 15.

Jack Creek, its Tributaries and Springs within its Drainage Area, including Dorsey Creek, Mill Creek, and Chicken Creek.

The use is within the reach of the stream within the allotment, beginning at approximately Section 4, Township 42 North, Range 53 East to its reach in Section 19, Township 42 North, Range 52 East.

75 head of cattle for period of July 1 to October 15.